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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

PEDRO VIVEROS JIMENEZ  
Petitioner,  
  
v.  
  
TIMOTHY AITKEN ET AL.  
  
Respondents.

Case No. C 13-05443 CRB

**STIPULATION AND ORDER OF  
DISMISSAL OF ACTION**

1 Petitioner Pedro Viveros Jimenez and the Federal Respondents, by and through their undersigned  
2 counsel, hereby stipulate as follows.

3 As set forth in the stipulation filed with the Court on December 9, 2013 at Dkt No. 10, the parties  
4 met and conferred and this matter will resolve without litigation.

5 Petitioner was released from ICE custody under the Intensive Supervision Appearance Program  
6 on December 10, 2013. He is now unable to satisfy the Article II, Sec. 2 requirement of a live case or  
7 controversy.  
8

9 The parties thereby request dismissal of this action as moot.

10 Each party will pay their own costs and attorneys' fees.

11 Respectfully submitted,

12  
13 DATED: December 11, 2013

\_\_\_\_\_/S/\_\_\_\_\_  
14 ZACHARY M. NIGHTINGALE  
Attorney for Petitioner

15  
16 MELINDA L. HAAG  
United States Attorney

17  
18 DATED: December 11, 2013

\_\_\_\_\_/S/\_\_\_\_\_  
19 VICTORIA R. CARRADERO  
Assistant United States Attorney  
20 Attorneys for Federal Respondents

21 \*I, Victoria R. Carradero, attest that I have obtained concurrence in the filing of this document from  
Plaintiff's counsel, Mr. Zachary Nightingale.

22 \_\_\_\_/s/\_\_\_\_\_  
VICTORIA R. CARRADERO  
23 Assistant United States Attorney

24  
25 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

26  
27 DATED: December 12, 2013

28 HONORABLE CHARLES R. BREYER  
UNITED STATES DISTRICT COURT JUDGE

